

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 ***

4
5 TONY L. HOBSON,

6 Plaintiff,

7 vs.

8 CLARK COUNTY DETENTION CENTER, *et*
al.,

9 Defendants.

2:16-cv-00437-JAD-VCF

ORDER

10 Before the court is Plaintiff's Motion to Reattempt Service on Defendants (ECF No. 18). On
11 October 31, 2016, the court ordered issuance of Summons for Defendants Cera and Sgt Graham. (ECF
12 No. 7). For Defendant Cera, Plaintiff completed the USM-285 form, describing the defendant as "Cera
13 (P#2228)". (ECF No. 14). The U.S. Marshal's Office attempted service of a Summons and complaint
14 using this form and returned the form stating that the Marshal was not able to locate this defendant. The
15 Marshal reported that service was attempted, but "p# number and name do not match/metro refused." *Id.*

16 Plaintiff states that he never received a USM-285 form for Defendant Sgt Graham. (ECF No. 18).
17 Plaintiff requests the court additional time to serve Defendants Cera and Sgt Graham. *Id.*

18 Accordingly, Plaintiff's Motion (ECF No. 18) is GRANTED as follows:

19 IT IS HEREBY ORDERED that a *subpoena duces tecum* be issued to the custodian of records at
20 the Clark County Detention Center directing the custodian to determine the first and last name and last-
21 known address(es) of an officer Cert who worked at the Clark County Detention Center in January, 2016.
22 The U.S. Marshal is directed to serve this subpoena, together with a copy of this order to the custodian of
23 records at the Clark County Detention Center.

24 IT IS FURTHER ORDERED that the custodian of records file UNDER SEAL a response to this
25 subpoena within twenty (20) days of receipt. The clerk is directed to then complete a USM-285 form

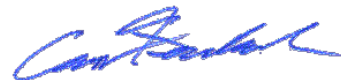
1 including the information provided by the custodian regarding Defendant Cert, and deliver that completed
2 form, together with a Summons for Defendant Cert, to the U.S. Marshal. Within thirty (30) days of receipt
3 of the Summons and USM-285 form, the Marshall must serve the summons and a copy of the Complaint
4 (ECF No. 5) on Defendant Cert and file a REDACTED copy of the USM-285 form showing whether
5 service has been accomplished. THE MARSHAL MUST REDACT FROM THIS FILED RETURN OF
6 SERVICE ALL PERSONAL IDENTIFIERS CONTAINED IN THE USM-285.

7 The Clerk of Court is directed to send the summons on Sgt Graham P#6896 to the U.S. Marshal
8 for service. The Clerk shall send Plaintiff a USM-285 form for Sgt Graham. Clerk also shall send a copy
9 of the complaint (ECF No. 5) and a copy of this order to the U.S. Marshal for service on Sgt Graham.
10 Plaintiff shall have thirty (30) days within which to furnish to the U.S. Marshal the required USM-285
11 form with relevant information as to Sgt Graham. Within twenty (20) days after receiving from the U.S.
12 Marshal a copy of the USM-285 forms showing whether service has been accomplished, Plaintiff must
13 file a notice with the Court identifying if Sgt Graham was served.

14 If Plaintiff wishes to have service again attempted on an unserved Defendant(s), then a motion
15 must be filed with the Court identifying the unserved Defendant(s) and specifying a more detailed name
16 and/or address for said Defendant(s), or whether some other manner of service should be attempted.

17 IT IS SO ORDERED.

18 DATED this 28th day of April, 2017.

19
20 

21 CAM FERENBACH
22 UNITED STATES MAGISTRATE JUDGE
23
24
25